



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

NOV -- 6 2006

Mr. Gennaro Faletta, Town Administrator  
Town of New Castle  
200 South Greeley Avenue,  
Chappaqua, New York 10514

Dear Mr. Faletta:

This is in regard to a request for a categorical exclusion (CATEX) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for the proposed improvements to the wastewater infrastructure of the Town of New Castle, Chappaqua, Westchester County, New York. The estimated total cost of the project is \$65,000; EPA Grant-Eligible Cost \$35,000. This project is being funded from the \$144,300 Special Appropriation Grant No. XP972703-05.

Based on our review of the supporting documentation, the Environmental Protection Agency (EPA) approves the request for a Categorical Exclusion (CATEX). The grant recipient is responsible for making this approval and the supporting documents available at local repositories, and for advertising the decision in the local press to indicate the availability of the supporting documentation for public review.

Please be reminded that EPA may revoke this CATEX if any of the following conditions occur:

- changes in the proposed action render it ineligible for exclusion;
- new evidence indicates that serious local or environmental issues exist; or
- federal, state, or local laws would be violated.

Should you have any questions regarding this decision, please address them to John Filippelli, Chief, Strategic Planning and Multi-Media Programs Branch, at the above address. Please note this CATEX will be available on EPA Region 2's website at <http://www.epa.gov/region02/spmm/r2nepa.htm>.

Sincerely,

A handwritten signature in cursive script, reading "Alan J. Steinberg", is written over a pre-printed name.

Alan J. Steinberg  
Regional Administrator

Enclosure

cc: Frank D. Annunziata, P.E., Town Engineer (w/enclosure)

## ENCLOSURE

**Town of New Castle**  
**Wastewater Infrastructure Improvements**  
***Commuter Parking Lot, Stormwater Control System***  
**Westchester County, New York**  
**Special Appropriation Grant No. XP972703-05**

### Background

In order to increase protection of the watershed, the Town of New Castle has planned improvements to its stormwater collection and treatment system to address sites with runoff problems. One of these problem sites is the Chappaqua commuter parking lot at the train station. This parking lot is located within a commercial zone in the hamlet of Chappaqua and a portion of its existing runoff flows into catch basins that discharge directly into Tertia Brook (classified as a "Class D" stream<sup>1</sup> by the NYSDEC.)

### Proposed Action

The Town proposes the construction of a stormwater control device in the commuter parking lot that will effectively treat runoff before it enters Tertia Brook. This project is also being planned to meet requirements of the New York State Department of Environmental Conservation as presented in the Stormwater Management Design Manual. In addition this project will serve as an offset for the runoff to the Brook from another project. The proposed project consists of:

- ❖ A stormwater control area 56' long.
- ❖ A 7' wide by 3' long by 7.5' deep clearwell area.
- ❖ A 12" pipe at the invert elevation of 300.5' with a pipe length 240'.
- ❖ A perforated 8" pipe centered in a sand filter (below the frostline) surrounded by 12" of gravel the width of the trench.
- ❖ Two 8" pipes running the full length of the drainage area and penetrating the wall into the clearwell. An extra pipe to ensure against clogging.
- ❖ A layer of filter fabric on top of the filter to facilitate cleaning and removal of debris.
- ❖ A 4" pipe with a valve above the sand filter to allow draining of the bed in case the filter becomes clogged.

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<sup>1</sup> The best usage of Class D waters is fishing. Due to such natural conditions as intermittency of flow, water conditions not conducive to propagation of game fishery, or stream bed conditions, the waters will not support fish propagation. These waters shall be suitable for fish survival. The water quality shall be suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes.



The farthest distance in the parking lot to the drainage area will be 240 linear feet. The existing ground elevation at the drainage area location is 308.5' above mean sea level and the low point at the stream is 298'. The incorporation of the perimeter sand filter treatment system will assist with pollutants removal of nitrogen, phosphorus, and heavy metals. This project will also limit other pathogens from entering the stream system.

### **Alternative Considered**

In addition to the proposed action, the following alternative was evaluated and rejected for the reasons outlined.

**Alternative 1: No action** - This was rejected because it does not comply with the requirements of the New York State Department of Environmental Conservation. Also, further postponement of improvements will allow continued untreated surface runoff into the Brook.

### **Eligibility for Granting a Categorical Exclusion**

The project meets the general Categorical Exclusion (CATEX) eligibility criteria found in 40 CFR 6.107(d)(1). The regulations allow CATEXs for activities involving "actions which are solely directed toward ... minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities."

Additionally, the available information on the proposed action indicates that the specific criteria for not granting a CATEX, found in 40 CFR 6.107(e), are not present. Specifically, the project will not result in a new or relocated discharge to surface or ground waters; will not increase the amount of pollutants discharged to receiving waters; and will not provide capacity to serve a population significantly greater than the existing population. Furthermore, there will be no significant adverse effects on cultural resources, endangered or threatened species, environmentally sensitive areas, or other environmentally important natural resource areas.

### **Conclusion**

The proposed action conforms to the category of actions eligible for exclusion under 40 CFR 6.107(d)(1). Accordingly, EPA approves this request for a CATEX from detailed environmental review pursuant to our procedures for implementing the National Environmental Policy Act.